

WISCONSIN GROUNDWATER ADVISORY COMMITTEE

December 2006 Report on Groundwater Management Areas

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Groundwater Management Areas & Groundwater Planning

- Groundwater Management Area (GMA) concept created by statute
- GMAs are areas where there is a long-term groundwater concern that requires coordinated management
- DNR to assist GMAs to undertake research and planning for groundwater management
- But no requirements established for entities located within GMAs
- Committee to recommend a groundwater management approach for these areas



Groundwater Management Areas

- Statute directs DNR to designate 2 areas by rule
(Done in NR 820)
 - Southeast Wisconsin
 - Northeast Wisconsin

Southeastern Wisconsin Groundwater Management Area



- Kenosha County
- Milwaukee County
- Ozaukee County
- Racine County
- Waukesha County
- Part of Walworth County
- Part of Washington County

Northeast Wisconsin Groundwater Management Area



- Brown County
- Part of Calumet County
- Part of Outagamie County



Groundwater Management Areas - Recommendations for Legislation

- Groundwater Management Areas should be required to have an approved comprehensive groundwater management plan
 - Plan should characterize the groundwater issues in the area and establish how entities in the area will address those issues
- Plan requirements to be established by administrative rule
- DNR to authorize a planning agency (such as a regional planning commission) for each GMA
 - Planning should be conducted locally and in concert with other planning activities
- DNR to approve or disapprove a plan after a public hearing is held



Groundwater Management Areas - Administrative Rules Recommendations

- Plans to be written documents developed with the participation of stakeholders
 - Local government units
 - Owners of high capacity wells
 - Other interested parties
- Plans are expected to be area specific
- Rule will identify the type of information that must be reviewed and considered
 - Inventory information
 - Forecast information
 - Identification of important recharge areas
 - Identification of existing and future well zone-of-contribution areas
 - Identification of areas most susceptible to groundwater contamination
- Plan is to characterize current and future groundwater issues in the area




Administrative Rules Recommendations (cont.)

- Plan must identify groundwater management goals specific to the area
- An implementation plan must be developed
- Implementation plan to include:
 - Best management practices (area specific)
 - Rule to identify best management practices to be considered (toolbox of BMPs)
 - A conservation component will be required
 - Quality and quantity standards which will be managed to
 - A monitoring component
 - A process for adaptive management
 - Determination of relative responsibility to carry out the various components of the plan
- Rule must establish a public participation process for the plan
- Progress reporting to the DNR is required



Logistical Questions About Preparing a Groundwater Management Plan

- How to pull all the different entities located within the GMA together?
- Who does the planning?
- Who pays for the planning?
- How much time is allowed to prepare the plan?
- How to implement and enforce groundwater management plans?
- Who will have to comply with the plan?




Other Recommendations Related to Private High Capacity Wells in GMAs

- Once a groundwater management plan is developed, high capacity groundwater wells located in the GMA should be subject to the following:
 - New high capacity well approvals should be consistent with the management plan
 - After 10 years, existing high capacity well approvals located in the GMAs should be allowed to be modified to be consistent with the groundwater management plan (Statutory authority would be necessary for this)



Other Areas of Concern

- Committee Charge
 - Look at other areas of the state in which groundwater withdrawal over the long term adversely affects water quantity or quality
 - Recommend whether other areas should be designated as GMAs
- Areas Looked At
 - Dane County
 - Little Plover River Watershed
 - St. Croix County




Recommendation for Groundwater Attention Areas

- Legislation to create new concept of “Groundwater Attention Areas” (“GAA”)
 - Process short of GMA-designation to identify areas that are likely to have future groundwater problems
 - Encourage coordinated planning in these areas in order to avoid or reduce future groundwater problems
 - Unless proactive steps are taken, those areas could ultimately be designated as Groundwater Management Areas
- Designate Dane County and the Little Plover River Watershed as Groundwater Attention Areas instead of Groundwater Management Areas
- GAAs should be eligible to receive funding to support research, pilot programs, management strategies and planning activities
- Administrative rules will be necessary to implement the concept of GAAs



Changing the Classification of an Area

- Recommended a process for
 - Designation of new GMAs or GAAs
 - Not restricted to 150-foot drawdown in a confined aquifer
 - Modifications to previously designated GMAs or GAAs
- New GMAs or GAAs
 - WGNHS, in consultation with the USGS, is to identify potential areas where groundwater quantity availability, coupled with water quality degradation, may warrant designation
 - Information provided to Groundwater Coordinating Council (GCC)
- Modification of existing GMA or GAA designations
 - WGNHS to recommend whether existing designation should be modified or terminated
 - GMA or GAA representatives may also petition for modification or termination of designation
 - Recommendation or petition provided to GCC



Changing the Classification of an Area (cont.)

- GCC to review information provided, and forward a recommendation
 - For 2 existing GMAs, and any subsequent statutory designations, the recommendation goes to the Legislature
 - If designation is allowed to occur through administrative rule, the recommendation goes to the DNR
- For designations allowed by administrative rule
 - DNR to prepare a thorough environmental, economic and social analysis of the GCC recommendations
 - DNR to provide recommendations on designations to the Natural Resources Board
 - DNR to develop rules based upon the Board's direction



Mitigation of Existing Problems

- Committee Charge
 - Formulate recommendations for a program to mitigate the impacts of existing wells in groundwater management areas
- Statutory Limitation
 - Costs of DNR ordered mitigation must be fully funded by the DNR
 - Option of ordering mitigation is considered to be a last resort, as mitigation costs could easily exceed available funding
 - Use a cooperative and voluntary approach where possible
- Administrative rules needed
 - Establish processes and criteria for determining the need for mitigation
 - Establish funding guidelines
 - Consider ability to fund mitigation on a cost-sharing basis



Monitoring

- Need for groundwater level and surface water level monitoring and data management throughout the state
 - Base level monitoring system that covers the state
 - Targeted monitoring systems in existing or potential GMAs that are designed to support the specific needs and management objectives of the area
- Recommendation that the Legislature provide funding for this monitoring



Funding

- Program revenue funds generated through the well notification and high capacity well application fees
 - Support the planning and management activities in GMAs and GAAs
 - However, unlikely sufficient to fund a substantial mitigation project
 - DNR may need to request additional funding support from the Legislature, when needed, to address mitigation
- Recommend administrative rules to establishing funding guidelines
 - How are funds to be distributed to support planning, management, and mitigation in GMAs and GAAs